

Cunninghame House  
Irvine  
KA12 8EE

12 March 2024

**North Ayrshire Licensing Board**

You are requested to attend a Meeting of the North Ayrshire Licensing Board to be held in the Council Chambers, Ground Floor, Cunninghame House, Irvine on **Monday 18 March 2024 at 10.00 A.M.** to consider the undernoted business.

Yours faithfully

Clerk to the Licensing Board

1. **Declarations of Interest**
2. **Minutes**  
Submit Minutes of the Board Meeting held on 11 December 2023
3. **Licences and Applications under the Licensing (Scotland) Act 2005**  
Submit report by the Clerk to the Licensing Board on applications under the Licensing (Scotland) Act 2005. (copy enclosed)
4. **Any Other Business**

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**Licensing Board**

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Sederunt: Eleanor Collier (Convenor)  
Nairn McDonald (Vice-Convenor)  
John Bell  
Cameron Inglis  
Christina Larsen  
Matthew McLean  
Jean McClung  
Donald L Reid  
Ronnie Stalker  
Angela Stephen

Chair:

Apologies:

Meeting Ended:

**DRAFT**  
**North Ayrshire Licensing Board**  
**11 December 2023**

This Minute is published in draft a few days after the Meeting to which it related. It should be regarded as provisional until it has been approved, with or without revisals, by the Licensing Board at a future meeting.

**Irvine, 11 December 2023** - At a meeting of the North Ayrshire Licensing Board at 10.00 am in the Council Chambers, Cunninghame House, Irvine.

**Present**

Councillors Eleanor Collier (Convenor), Nairn McDonald, John Bell, Christina Larsen, Jean McClung, Cameron Inglis and Donald L Reid.

**In Attendance**

R Lynch, Clerk, G Cullen, Licensing Standards Officer, C Pollock, Licensing Administration Officer and M Champion, Admin Assistant

**Convenor**

Councillor Eleanor Collier.

**Apologies for Absence**

Councillors Ronnie Stalker and Angela Stephen.

**1. Declarations of Interest**

There were no Declarations of Interest.

**2. Minutes**

The Board were asked to confirm the Minutes of the Board meeting held on 18 September 2023. The Board unanimously agreed to confirm and adopt the Minutes.

**3. Licences and Applications under the Licensing (Scotland) Act 2005.**

The Board considered a report by the Clerk to the Licensing Board on matters under the Licensing (Scotland) Act 2005. The report, on this occasion, contained 1 Appendix;

- A. Premises Licence applications or any other applications requiring a Hearing.

The Licensing Board agreed to dispose of the matters as follows;

**A. Premises Licence applications or any other applications requiring a Hearing**

**A.6 Personal Licence NA2602 Margaret Pollock**

The Board continued their consideration of a Review Hearing relating to a Personal Licence. Ms Pollock was not present or represented.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from Police Scotland
- submissions from the Licence-Holder

and decided that there was no need to retire to consider the case.

Councillor Larsen moved as a Motion that the Board should Suspend the Personal Licence for 6 months.

Councillor McDonald seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

Councillor Inglis moved as an Amendment that the Board should endorse the Personal Licence.

There was no seconder to this Amendment. The Motion was held as carried unanimously, except for Councillor Inglis's dissent being noted.

#### **A.1 0531 USave, 15 Dickson Way, Irvine**

The Board continued their consideration of an Application for the grant of a Provisional Premises Licence made by Mrs Navneet Kaur Sandhu. Mrs Sandhu and her husband Bikram Singh were present and they were represented by Bruce Hunter, Solicitor.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Applicants Agent, Mr Hunter, and
- submissions from objectors,

and decided that there was no need to retire to consider the case.

Councillor McDonald moved as a Motion that the Board should Grant the Provisional Premises Licence subject to Standard Conditions (Edition 5, made on 1 September 2009, as read with later amendments of the statutory mandatory conditions) Parts A and B.

Councillor McClung seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.



**A.2 0534 82 Gallowgate Street, Largs**

The Board considered an Application for the grant of a Provisional Premises Licence made by Gordon Craig. Mr Craig was represented by Brian McMahon, Licensing Agent who was accompanied by Candice Craig, proposed Premises Manager.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Applicants Agent, Mr McMahon

and decided that there was no need to retire to consider the case.

Councillor McDonald moved as a Motion that the Board should Grant the Provisional Premises Licence subject to Standard Conditions (Edition 5, made on 1 September 2009, as read with later amendments of the statutory mandatory conditions) Parts A, B, C and F. Standard Condition C.5.2 was amended to read: *"No drinks (alcoholic or not) shall be taken into or consumed in such areas earlier than 11.00 a.m. and later than 10.00 pm except that the consumption of tea, coffee and other non-alcoholic drinks is permitted from 9.00 am."*

Councillor Inglis seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

**A.3 0119 J G Sharps, 34/36 Nelson Street, Largs**

Application withdrawn by the applicant.

**A.4 0241 Revels, 53-59 Main Street, Kilwinning**

The Board considered an Application for a Review of a Premises Licence by the Licensing Standards Officer. The Grounds for Review were a Breach of Licence Condition. The Premises Licence Holder, Revels Main Street Ltd, was not present or represented.

The Board considered:

- the Report and schedule prepared by the LSO which is published on the Council website

and decided that there was no need to retire to consider the case.

Councillor McDonald moved as a Motion that as the Grounds for Review were established the Board should Suspend the Premises Licence for 12 months, with delegation given to the Clerk the power to revoke the Suspension if all unpaid fees due in relation to the Premises are paid in full. The Suspension will take effect 14 days from the date of the Licensing Board meeting.

Councillor Reid seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

#### **A.5 0326 Albert's, 84 Gallowgate Street, Largs**

The Board considered an Application for a Review of a Premises Licence by the Licensing Standards Officer. The grounds for Review are a Breach of Licence Condition. The Premises Licence Holder, Itelgelat Limited, was not present or represented.

The Board considered:

- the Report and schedule prepared by the LSO which is published on the Council website

and decided that there was no need to retire to consider the case.

Councillor McDonald moved as a Motion that as the Grounds for Review were established the Board should Suspend the Premises Licence for 12 months, with delegation given to the Clerk the power to revoke the Suspension if all unpaid fees due in relation to the Premises are paid in full. The Suspension will take effect 14 days from the date of the Licensing Board meeting.

Councillor Reid seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

#### **4. Annual Functions Report under Section 9A of the Licensing (Scotland) Act 2005 for the financial year 2022/2023**

The Board considered the Annual Functions Report for the financial year 2022/23. The Board unanimously agreed to note the Financial Report.

#### **5. Any Other Business**

There was no other business to consider.

The meeting ended at 10.48 am

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## Agenda Item 3

18 March 2024

### North Ayrshire Licensing Board

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**Title:** Applications for Licences and other matters arising under the Licensing (Scotland) Act 2005.

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**Purpose:** To advise the Board of the Law and the factual background.

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**Recommendation:** That the Board determines whether or not to grant the Applications listed.

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#### 1. Executive Summary

- 1.1 The Licensing Board is responsible for determining Applications for Licences and other matters arising under the Licensing (Scotland) Act 2005 (such as Review Hearings involving holders of Premises Licences and Personal Licences).
- 1.2 The Board has approved a Scheme of Delegation whereby certain matters can be delegated to the Clerk and other licensing staff. Matters which cannot be delegated, or where the officers have declined to exercise the delegation, are referred to the Board.

#### 2. Background

- 2.1 The Applications and other matters before the Board are detailed in the attached summaries. Each summary contains details of the application for each individual case before the Board. These summaries set out the particular factual and legal issues which the Clerk considers arise in each case.
- 2.2 Where relevant, any reports have been copied to the Applicants or Licence-Holders. Where objections or representations are competent, these have been copied to the Applicant so that a response might be made at the Board Hearing.

#### 3. Proposals

- 3.1 In each case, after considering the Application and after hearing any submissions for the Applicant and persons making objections or representations, the Board should determine whether or not to grant the Application or take appropriate action.

#### 4. Implications/Socio-economic Duty

<b>Financial:</b>	There are possible financial implications in relation to any Licensing decision.
<b>Human Resources:</b>	None.
<b>Legal:</b>	There are possible legal implications in relation to any licensing decision. Many Board decisions may be appealed against, but not all, and not all parties to a case have a right of appeal.
<b>Equality/Socio-economic Duty:</b>	<p>Equality Act 2010 imposes duties on the Council: Section 1(1) (“Public sector duty regarding socio-economic inequalities”): the Council:</p> <p>“must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage”.</p> <p>Section 149(1) (“Public sector equality duty”) the Council:</p> <p>“must, in the exercise of its functions, have due regard to the need to-</p> <ul style="list-style-type: none"> <li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under [that Act];</li> <li>(b) advance equality of opportunity between persons who share a “Relevant Protected Characteristic” and persons who do not share it;</li> <li>(c) foster good relations between persons who share a “Relevant Protected Characteristic” and persons who do not share it.”</li> </ul> <p>The “Relevant Protected Characteristics” are age; disability; gender reassignment, pregnancy and maternity; race; religion or belief; sex; and sexual orientation.</p> <p>The Clerk has considered these Duties in preparing this Report and any specific impacts will be evaluated where appropriate. Unless the Clerk advises the Board otherwise in a particular case, there are no significant impacts to be considered.</p>

<b>Climate Change and Carbon:</b>	None
<b>Key Priorities:</b>	An effective licensing system, for example monitoring the 'fit and proper' status of licence-holders and the suitability of premises, helps progress towards one Priority Outcome of the draft North Ayrshire Council Plan 2019-2024: "North Ayrshire's residents and communities are safe".
<b>Community Wealth Building:</b>	There are no Community Wealth Building issues.

## 5. Consultation

5.1 Consultation has taken place in line with statutory requirements. The requirements vary depending on the particular issue raised, and where appropriate these are detailed in the report for each case.

Raymond Lynch  
Clerk

For further information please contact **Raymond Lynch, Clerk**, on [licensing@north-ayrshire.gov.uk](mailto:licensing@north-ayrshire.gov.uk).

## Background Papers

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## APPENDIX A

## Premises Licence Applications or any other Applications requiring a Hearing

	Case No.	Licence No.	Applicant/Licence Holder	Premises	Comments
<b>Page 11</b>	1.	0535	Sukhvinderjit Sangha	32A Bank Street Irvine KA12 0AD	Application for Grant of Provisional Premises Licence – Section 45
<b>Page 30</b>	2.	0320	Kilwinning Bowling Club	Kilwinning Bowling Club 12 Howgate Kilwinning KA13 6EJ	Application for Variation of Premises Licence – Section 29
<b>Page 46</b>	3.	0035	Colin Grant	The George 17/19 Main Street Largs KA30 8AA	Application for Variation of Premises Licence – Section 29
<b>Page 64</b>	4.	116/24	Sean Conaghan	The Windy Ha 31 Bradshaw Street Saltcoats KA21 5HR	Application for Occasional Licence – Section 56

**THE LICENSING (SCOTLAND) ACT 2005****Application for Provisional Premises Licence**

<b>Premises Licence Reference:</b>	0535
<b>Name and Address of Premises:</b>	32A Bank Street Irvine KA12 0AD
<b>Applicant:</b>	Sukhvinderjit Sangha
<b>Type of Premises:</b>	Restaurant Premises Application
<b>Proposed Application:</b>	This is a Restaurant Premises with a capacity of 100 people, all seated. The proposed restaurant is on the 1st floor level of a former site of a restaurant, which has been unoccupied for several years, situated above shop premises within the town centre of Irvine. This is an on sales application only, and the proposed hours of operation are from 11.00am to midnight all 7 days of the week.
<b>Police Authority Comments:</b>	No Police objection
<b>Licensing Standards Comments:</b>	No comment from the LSO
<b>Fire Authority Comments:</b>	No comment
<b>Protective Services Comments:</b>	No comment
<b>Community Council Comments:</b>	No comment from Irvine Community Council
<b>Health Board Comments:</b>	No comment
<b>Additional Comments:</b>	The Board's Policy on Overprovision has to be considered though, given the nature of the application being a restaurant, there appears no grounds for refusal on that basis and in terms of the Board's Policy. In addition, the hours sought in the application are all within the NALB's Policy. The Children and Young Persons access proposals are also within Policy.
<b>Section 50 Certificates:</b>	Not yet received

## APPLICATION FOR PROVISIONAL PREMISES LICENCE\*

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

**Applicant Information** *Licensing (Scotland) Act 2005, section 20(1)*

**Question 1**

*Name, address and postcode of premises to be licensed.*

32A BANK STREET, IRVINE, AYRSHIRE, SCOTLAND, KA12 0AD

**Question 2****Particulars of Applicant**

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

SUKHVINDERJIT SANGHA,

[REDACTED]

[REDACTED]



2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

NO

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

NO

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

NO

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. "The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:*

- (a) for a Partnership, a Partner;*
- (b) for a company, a Director, or a person who has control of the Company;*
- (c) for a Club, an office-bearer of the Club; and*
- (d) for any other organisation, any person concerned in its management or control."*

**Question 3****Previous Licences**

3 Has the Applicant or any other Connected Person ever held a licence under the Licensing (Scotland) Act 1976 for Premises anywhere in Scotland? YES / NO\*

*If YES, please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned and Licence reference number (if known), and the name of the Licence-holder; if the Premises were not in North Ayrshire, give the name of the Licensing Board and the date when the Licence was granted or last renewed.*

YES,

PREMISES LICENCE NUMBER 13/00766/LAPREM /

LICENSING AUTHORITY - SOUTH AYRSHIRE COUNCIL

PERSONAL LICENCE NUMBER – [REDACTED]

OFF SALES LICENCES

PREMISES LICENCE ADDRESS- LOCHSIDE CONVENIENCE STORE, 2/4 LAWSON STREET, LOCHSIDE, AYR , KA8 9LP

LICENCE HOLDER – SUKHVINDERJIT SANGHA, [REDACTED]

DATE OF ISSUE – 01/09/2019

**Question 4****Previous Applications**


4 Has the Applicant or any Connected Person ever applied for a licence under the Licensing (Scotland) Act 2005 for Premises anywhere in Scotland? YES/NO\*

*If YES – please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned, and the name of the Licensing Board and the date when the Licence was granted or last renewed.*

YES

SAME AS ABOVE

**Question 5****Previous convictions**

4 Has the applicant or any connected person ever been convicted of a 'Relevant Offence' or 'Foreign Offence' (see Note 

*\*If YES – provide full details*

<i>Name &amp; position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>

**Notes:**

1. The terms 'Relevant Offence' and Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences' and this means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Although the Act refers to convictions becoming 'spent' under the Rehabilitation of Offenders Act 1974, the 1974 Act allows a licensing authority to take into account convictions which would otherwise be regarded as 'spent', so you should include all convictions.
3. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, section 178 (taking motor vehicle without authority)'.
4. In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for Relevant or Foreign Offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

**Description of Premises** *Licensing (Scotland) Act 2005, section 20(2)(a)*

**Question 6**

6 *Description of premises (where application is submitted by a members' club, please also complete question 7)*

, BUILDING IS ON 1ST FLOOR LEVEL WHICH IS A FORMER VACANT INDIAN RESTURANT SITUATED ABOVE SHOPS , HAS ITS OWN SEPARATE ACCESS, A PUBLIC CAR PARK IS ACROSS FROM SITE .

**Question 7**

7 *To be completed by members' clubs only. You should send a copy of the Constitution and Rules with your Application.*

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	NO*
* Delete as appropriate	

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature S SANGHA..... \* (see note below)

Date ...18/01/24.....

Capacity ...260 M2..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory : [REDACTED]

[REDACTED] .....

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
Operating plan	YES

<i>Layout plan</i>	<i>YES</i>
<i>Planning certificate</i>	<i>YES</i>
<i>Building standards certificate</i>	<i>YES</i>
<i>Food hygiene certificate</i>	<i>YES</i>

**\* Data Protection Act 1998**

The information on this form may be held on a public register, which may be available to members of the public.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	19/01/2024
Fee amount	£200
Receipt number	BACS ADWS00275271
Received by ( <i>INITIALS</i> )	MC
Consideration date	26 January
Last date for consideration	16 February
Date of initial hearing	18 March 2024
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	<b>O/S applied for</b>
Operating plan	Y
Layout plan	Y



## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i) and 20(4), and Schedule 5 of the Premises Licence (Scotland) Regulations 2007 No.452

Note that in addition to the Operating Plan, Section 20(2)(b)(ii) also requires a Layout Plan. The form of the Layout Plan is specified in Regulation 5 of the Premises Licence (Scotland) Regulations 2007 No.452.

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

### Question 1

*STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH*

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>YES</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>NO</i>
<i>*Delete as appropriate</i>	

### Question 2

*STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES. USE THE 24-HOUR CLOCK.*

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Closing time</i>
<i>Monday</i>	11:00:00	24:00:00
<i>Tuesday</i>	11:00:00	24:00:00
<i>Wednesday</i>	11:00:00	24:00:00
<i>Thursday</i>	11:00:00	24:00:00
<i>Friday</i>	11:00:00	24:00:00
<i>Saturday</i>	11:00:00	24:00:00
<i>Sunday</i>	11:00:00	24:00:00

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES. USE THE 24-HOUR CLOCK.

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Closing time</i>
<i>Monday</i>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

**Question 4**

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
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*\*If YES – provide details*



**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

<b>COL. 1</b> <i>5(a)</i> <i>Activity</i>	<b>COL. 2</b> <i>Please confirm</i> <i>YES/NO</i>	<b>COL. 3</b> <i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<b>COL. 4</b> <i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	YES	YES	NO
<i>Bar meals</i>	NO	NO	NO
<b>5(b) Activity</b> <i>Social functions</i> <i>including:</i>	<b><i>Please confirm</i></b> <i>YES</i>	<b><i>To be provided</i></b> <b><i>during core licensed</i></b> <b><i>hour 12PM- 23PM</i></b> <b><i>please confirm</i></b> <i>YES</i>	<b><i>Where activities are</i></b> <b><i>also to be provided</i></b> <b><i>outwith core licensed</i></b> <b><i>hours please confirm</i></b> <i>NO</i>
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	YES	YES	NO
<i>Club or other group</i> <i>meetings etc.</i>	NO	NO	NO
<b>5(c)</b> <i>Activity</i> <i>Entertainment</i> <i>including:</i>	<b><i>Please confirm</i></b> <i>YES</i>	<b><i>To be provided</i></b> <b><i>during core licensed</i></b> <b><i>hours 12PM–23PM</i></b> <b><i>please confirm</i></b> <i>YES</i>	<b><i>Where activities are</i></b> <b><i>also to be provided</i></b> <b><i>outwith core licensed</i></b> <b><i>hours please confirm</i></b> <i>NO</i>
<i>Recorded music – see</i> <i>5(g)</i>	YES	YES	NO
<i>Live performances –</i> <i>see 5(g)</i>	NO	NO	NO
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO

<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
<b>5(d) Activity</b>	<i>Please confirm</i> <i>/NO</i>	<b>To be provided during core licensed hours – please confirm</b> <i>/NO</i>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <i>NO</i>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<b>5(e) Activity</b>	<i>Please confirm</i> <i>/NO</i>	<b>To be provided during core licensed hours – please confirm</b> <i>NO</i>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <i>NO</i>
<i>Adult entertainment</i>	<i>NO</i>	NO	NO

*Where you have answered YES in respect of any entry in column 4 above, please provide further details below.*

*5(f) any other activities*

*If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.*

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85 dB LA90(5)?</i>	NO
<i>When fully occupied, are there likely to be more customers standing than seated? If YES, what percentage of the total number of customers do you expect to be standing?</i>	NO
<i>*Delete as appropriate</i>	

### **Question 6**

#### *CHILDREN AND YOUNG PERSONS*

*The 2005 Act, section 147(1) defines a 'child' as a person under the age of 16, and a 'young person' as a person aged 16 or 17.*

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES
	<i>*Delete as appropriate</i>	

6(b) *Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry*

<p>CHILDREN UNDER 16 WILL BE ALLOWED ENTRY WHEN ACCOMPANIED BY AN ADULT FOR FAMILY MEAL,</p> <p>YOUNG PERSON AGE 16 OR 17 WILL BE ALLOWED ENTRY FOR A MEAL WITHOUT AN ADULT BUT NOT SERVED ALOCHOL. WILL NEED TO SHOW ID ONLY THEN WILL THEY BE ALLOCATED TABLE .</p> <p>IF ANY OF ABOVE LIE OR FOUND TO PRODUCE FALSE ID ABOUT AGES IT WILL BE RECORDED IN REFUSAL BOOKS FOR RECORDS ,</p> <p>TIME LIMITATIONS WILL APPLY TO CHILDREN AND YOUNG PERSON ,WILL ONLY BE ALLOWED IN TILL 10PM.</p>
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6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

CHILDREN UNDER 16 WILL BE ALLOWED ENTRY WHEN ACCOMPANIED BY AN ADULT FOR FAMILY MEAL,  
YOUNG PERSON AGE 16 OR 17 WILL BE ALLOWED ENTRY FOR A MEAL WITHOUT AN ADULT ,MUST PROVIDE ID . BUT WILL NOT BE SERVED ALOCHOL.

6(d) Provide statement regarding the **TIMES** during which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.

CHILDREN AND YOUNG PERSON 16/17 WILL ONLY BE ALLOWED UNTIL TO 10PM.

6(e) Provide statement regarding the **PARTS** of the premises to which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.

CHILDREN & YOUNG PERSONS WILL BE ALLOWED IN ALL AREAS EXCEPT BAR AREA AT ALL TIMES.

6(f) Where will the Statement as to under-age supply of alcohol, required by Section 110 and the Sale of Alcohol to Children and young Persons (Scotland) Regulation 2007 No.93 and 313, be placed?.

AT ENTRANCE SO ITS VISIBLE TO ALL WHO ENTER AND ANOTHER DISPLAYED AT BAR AREA

**Question 7***CAPACITY OF PREMISES*

7(a) What is the total capacity of the Premises?

**100 people**

7(b) Of the total, how many customers are expected to be standing?

**NONE AS MEALS WILL BE SEATED AT TABLES**

7(c) Of the total, how many customers are expected to be seated?

**TOTAL CAPACITY FOR SEATING IS 90 PEOPLE**

**Question 8***PREMISES MANAGER*

*(NOTE: not required where the Application is by a Club or is for the grant of a Provisional Premises Licence. Here 'Club' means a Club which is within the Licensing (Clubs) (Scotland) Regulations, 2007 No.76.)*

*Sec 20(4)(g) includes information about the premises manager, but (g) does not apply to clubs [125(2)], or to 'provisional premises licence application' [45(10)].*

*Personal details*

8(a)

--

8(b)

--

8(c) *Contact address*

--

8(d) *Email address*

--

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature .....S SANGHA..... \* (see note below)

Date .....18/01/24.....

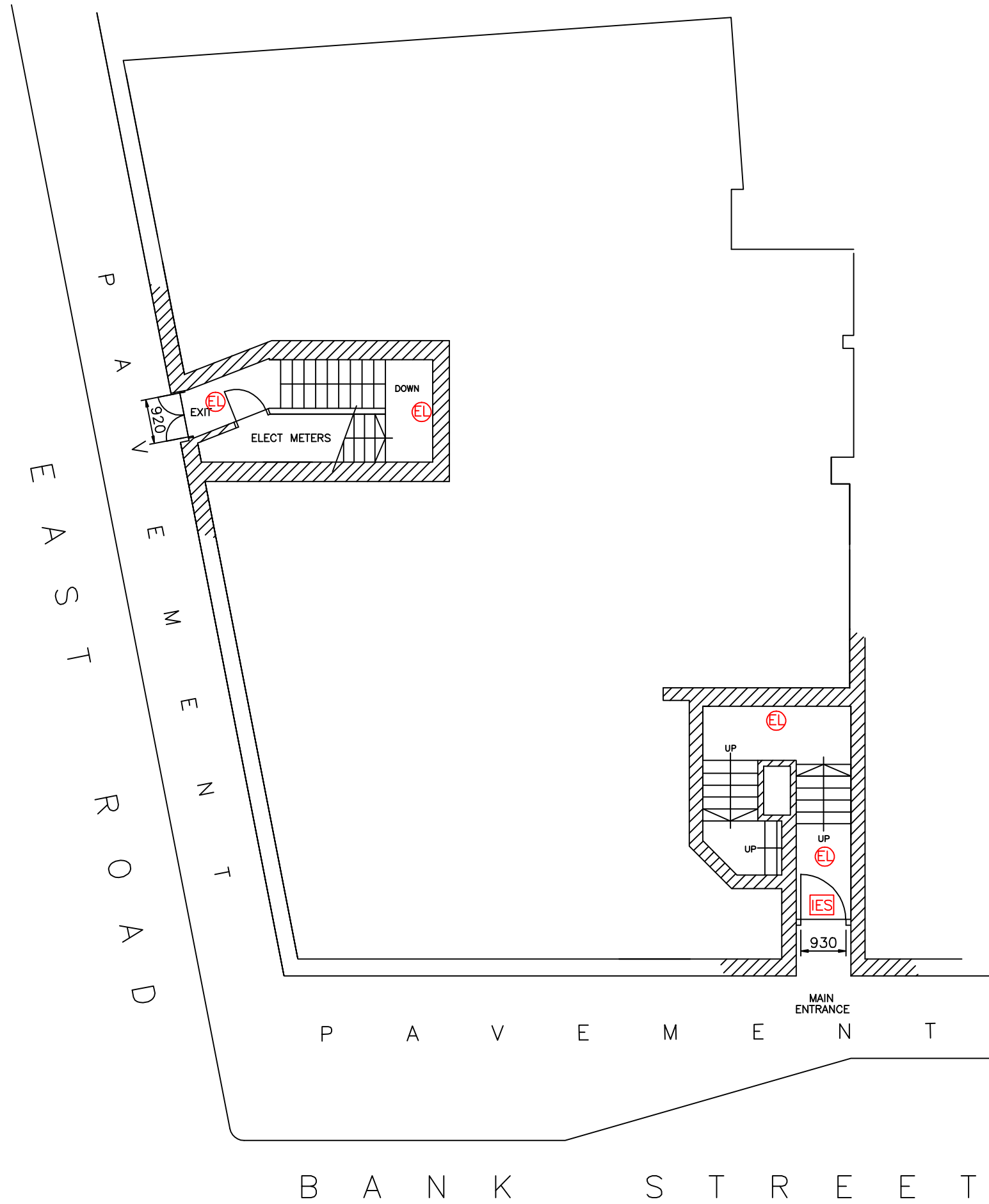
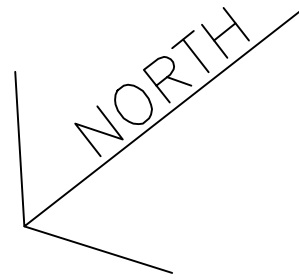
Capacity SUKHVINDERJIT SANGHA..... APPLICANT/ (delete as appropriate).

Address [REDACTED]

Telephone number and email address of signatory [REDACTED]

**\* Data Protection Act 1998**

The information on this form may be held on a public register which may be available to members of the public.



GROUND FLOOR PLAN 1/100

LEGEND	
EXTERNAL FLOOD LIGHT	
EXTERNAL LIGHT	
GENERAL FIRE NOTICE	
STAFF FIRE ACTION	
KEEP LOCKED SHUT NOTICE	
EMERGENCY LIGHTING	
SMOKE DETECTOR	
HEAT DETECTOR	
DRY POWDER EXTINGUISHER	
FOAM EXTINGUISHER	
WATER EXTINGUISHER	
CARBON DIOXIDE EXTINGUISHER	
FIRE BLANKET	
FIRE ALARM CALL POINT	
FIRE ALARM SOUNDER	
ILLUMINATED EXIT SIGN	

PROJECT  
32A BANK STREET, IRVINE. KA12 OAD  
PREMISES PLAN

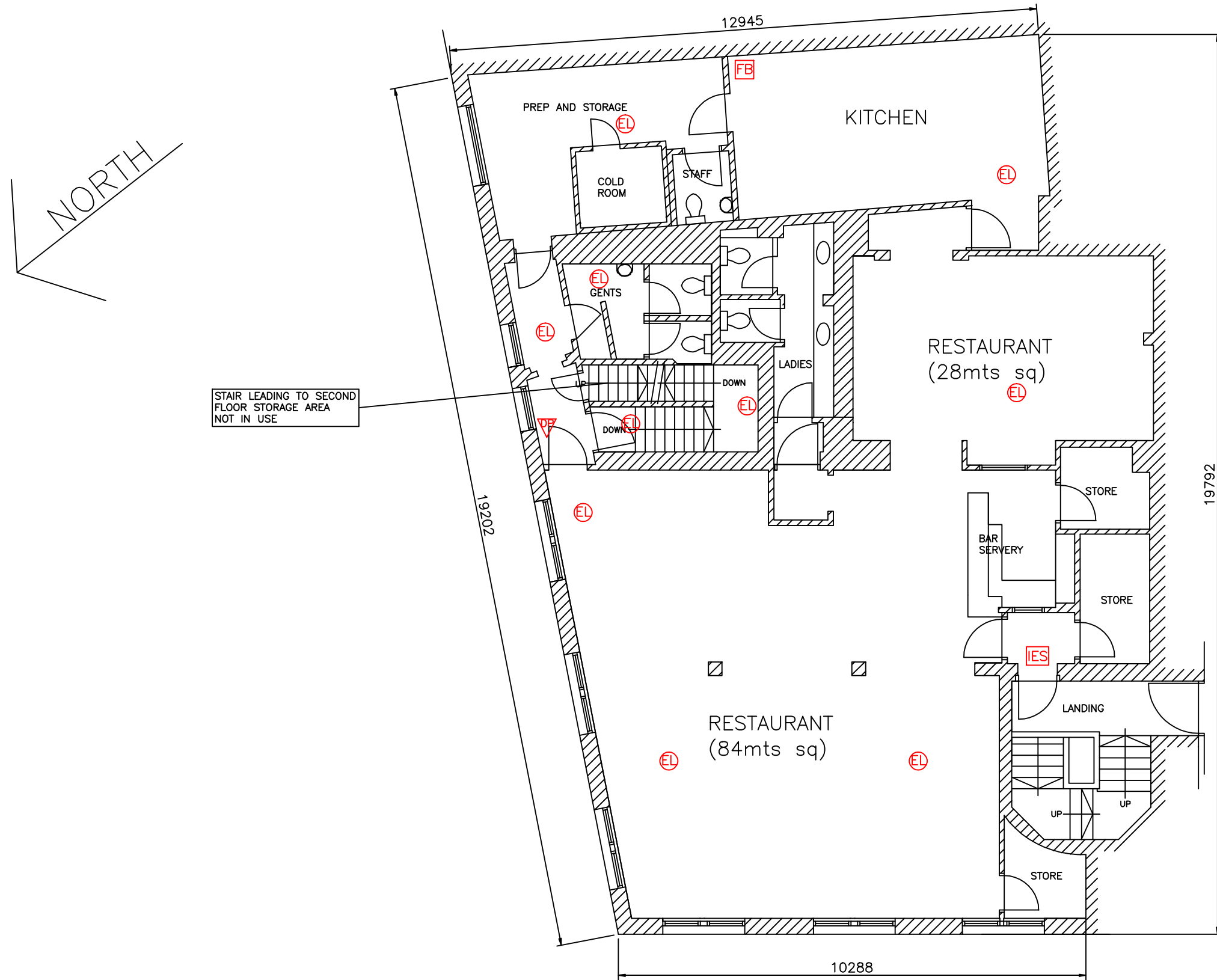
TITLE  
GROUND FLOOR PLAN

SCALE  
1:100

DATE	JOB NO.	DRG NO.	REV
DEC 23		1	

Drawn by	Passed by	Issued for





LEGEND	
EXTERNAL FLOOD LIGHT	
EXTERNAL LIGHT	
GENERAL FIRE NOTICE	
STAFF FIRE ACTION	
KEEP LOCKED SHUT NOTICE	
EMERGENCY LIGHTING	
SMOKE DETECTOR	
HEAT DETECTOR	
DRY POWDER EXTINGUISHER	
FOAM EXTINGUISHER	
WATER EXTINGUISHER	
CARBON DIOXIDE EXTINGUISHER	
FIRE BLANKET	
FIRE ALARM CALL POINT	
FIRE ALARM SOUNDER	
ILLUMINATED EXIT SIGN	

PROJECT  
32A BANK STREET, IRVINE. KA12 OAD  
PREMISES PLAN

TITLE  
FIRST FLOOR PLAN

SCALE 1:100			
DATE DEC 23	JOB NO.	DRG NO. 2	REV
Drawn by	Passed by	Issued for	

FIRST FLOOR PLAN 1/100

**THE LICENSING (SCOTLAND) ACT 2005****Application for Variation of Premises Licence**

<b>Premises Licence Reference:</b>	0320
<b>Name and Address of Premises:</b>	Kilwinning Bowling Club 12 Howgate Kilwinning KA13 6EJ
<b>Applicant/Licence Holder:</b>	Kilwinning Bowling Club
<b>Type of Premises:</b>	Bowling Club with on sales and off sales. Members club with one bar area. Hours of operation are Sunday to Friday 11.00am to 1.00am and Saturday 9.00 am to 1.00am.
<b>Proposed Application:</b>	Additional outdoor drinking area as per layout plan attached. Application is to include areas surrounding the bowling green.
<b>Police Authority Comments:</b>	No Police objections
<b>Licensing Standards Comments:</b>	No comment
<b>Fire Authority Comments:</b>	No comment
<b>Protective Services Comments:</b>	No comment
<b>Community Council Comments:</b>	No comments received from Kilwinning Community Council
<b>Health Board Comments:</b>	No comment
<b>Section 50 Certificates:</b>	Not required
<b>Additional Comments:</b>	The Clerk's opinion is that subject to the Board's views on the consistency of the request with the 'Preventing Public Nuisance' Licensing Objective, there are no grounds of refusal. The Board must grant a variation request unless it considers that there is a reason to justify refusal, for example an inconsistency with the Licensing Objectives.

If the Board grants a Variation but is later satisfied (for example, after complainers make a Review Application) that there is an inconsistency with the Licensing Objectives, the Board may review the earlier variation and alter it or revoke it altogether.

## NORTH AYRSHIRE LICENSING BOARD

### APPLICATION FOR VARIATION and/or TRANSFER OF PREMISES LICENCE/PROVISIONAL PREMISES LICENCE \*

#### LICENSING (SCOTLAND) ACT 2005, Sections 29 - 35

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each extra page with the address of the Premises, the Board Reference Number, and the type of Application applied for, and you should sign each extra page.

Your Application must be accompanied by the original Premises Licence (not the Summary), or if that is not practicable, a statement of the reasons for failure to produce the Licence.

Explanatory notes are included but these are for guidance only and are no substitute for independent legal advice. They reflect the Board's understanding of the legislation.

**\*Delete as appropriate**

#### PART A - GENERAL

What type of Application is this?

(tick **one** box, and complete the rest of the form as appropriate)

Variation (Complete Parts A, B, and E)

Transfer (Complete Parts A, C and E)

Variation and Transfer (Complete all parts)

<b>X</b>

**Note:** If the Licence is being transferred to a new Licence Holder, which is not an individual person (for example, if the new Licence Holder is a Company or Partnership) then as well as applying for Transfer of the Licence you may need to Vary to include a new Premises Manager.

Board Reference number:	0320
Date of Board decision to grant the Premises Licence:	
Name, address and postcode of Licensed Premises:	Kilwinning Bowling Club 12 Howgate Kilwinning KA13 6EJ
Name of Licence Holder	Kilwinning Bowling Club
Name of Premises Manager	Alexis Welsh

## PART B - VARIATION

**B.1. Type of Variation proposed**

What Variation is proposed? (consider the statutory definition of 'Minor Variation' - see Note)

Tick one box:

One or more 'Minor Variations'

One or more other Variations (including where some are 'Minor Variations' but one is not)

<b>X</b>

Note: 'Minor Variation' is defined by Section 29(6) of the 2005 Act and means -

- a. any Variation of the Layout Plan, if the Variation does not result in any inconsistency with the Operating Plan,
- b. where, under the Operating Plan contained in the Licence, Children or Young Persons are allowed entry to the Premises, any Variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the Premises,
- c. any Variation of the information contained in the licence relating to the Premises Manager (including a Variation so as to substitute a new Premises Manager), and
- d. where the name of the premises is disclosed in the premises licence, any change in that name
- e. a temporary or permanent reduction in the licensed hours which does not result in the premises opening any earlier or closing any later than stated in the premises licence and operating plan
- f. an increase in the minimum age at which children or young persons may be allowed onto the premises
- g. a reduction in the times at which children or young persons may be allowed onto the premises
- h. a restriction to the access of children or young persons to certain parts of the premises
- i. any reduction in the capacity of the premises whether resulting from a variation to the layout plan or otherwise
- j. any variation resulting in the cessation of the provision of live or recorded music at a decibel level exceeding 85 decibels
- k. any variation to provide that, when the premises are fully occupied, more customers are likely to be seated than standing

Any Variation outside (a) – (k) is not a 'Minor Variation'. The difference is:

- a. any Application for a Variation which is not a 'Minor Variation' must be processed in a similar way to an Application for a Premises Licence. This means that your Application will be publicised on the Board's website (or in a newspaper), will be intimated to

- (i) all occupiers of land within 4 metres of the Premises;
- (ii) the Community Council;
- (iii) North Ayrshire Council;
- (iv) the Police; and
- (v) the Fire Authority.

You will also have to display a Site Notice for 21 days. The Application will then call at a meeting of the Licensing Board;

The Fee is based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

- b. a 'Minor Variation' is not processed like this. Instead, the Application is usually granted automatically by the Clerk to the Board, without a Hearing in front of the Board (depending on the actual Variation requested, the Clerk might refer the case to the Board, but this does not happen often). The Fee is fixed and is not based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

Examples of Minor Variations:

1. Changes to the Layout Plan due to rearrangement of shelves and serving areas, without:
  - a. changing the nature of the Premises or
  - b. increasing the capacity of the Premises.
2. Changes to the Operating Plan to alter the details of the Premises Manager, or to add a new Premises Manager.

Examples of Variations which are not Minor Variations:

1. any change to the Operating Plan (except those referred to as Minor Variations);
2. any change to the Conditions affecting the Licence.

### Previous Application for Variation

**Note:** this information is needed because the 2005 Act requires the Board to refuse a Variation Application if it has refused a previous Variation Application for the same Premises and for the same Variation (Section 30(5)(a) & 32). This bars a new Variation Application made before the expiry of the period of one year beginning with the date of the earlier refusal. The bar does not apply if either or both of these situations apply:

- a. at the time of the earlier refusal, the Board directed that the bar would not apply to any subsequent Application, or
- b. the Board is satisfied that there has been a material change of circumstances since the earlier refusal.

- B.2.** Has there been a previous Application for Variation for these Premises in the past year (including any time before the current Licence Holder or proposed Transferee acquired them)?

	No
--	----

If 'No', go to Question B.6.

**35**  
B.3. If 'Yes', was that previous Application refused?

## CASE 2

Yes	No
-----	----

B.4. If it was refused, give details of that previous Application:

Name of the Applicant	
Date of the Board decision	
Summarise the Variation which was then requested.	

B.5. If there has been a Board decision to refuse in the one year before the date of lodging this Application, state which of (a) or (b) above you think applies, and if (b) applies state what you think the material change of circumstances has been:

--

B.6. Does the proposed Variation affect the Premises Manager?

	No
--	----

If 'No', go to Question B.9.

### Variation to add new Premises Manager details

B.7. Supply details of the proposed Premises Manager and produce the Personal Licence (except where the Premises Licence is a "Provisional Premises Licence" which has not yet been Confirmed).

Name	
Date of birth	
Contact address	
Email address	

Personal licence	
Date of issue	
Name of Licensing Board issuing	
Reference no. of personal licence	

**B.8.** Do you want the proposed Variation to add new Premises Manager details to have immediate effect?

Yes	No
-----	----

**Note:** The Variation can have effect immediately from the time the Application is received by the Licensing Board until the time that the Application is either granted or withdrawn. The fee for an 'immediate effect' Variation is higher than for the ordinary Minor Variation.

This 'immediate effect' procedure only applies to Premises Manager information. Any other sort of Variation only takes effect if and when the Board grants the Application.

**B.9. Variation**

Is any other Variation requested, apart from one affecting the Premises Manager?

Yes	
-----	--

If 'Yes', describe the Variation requested. If necessary, lodge a new Operating Plan and/or Layout Plan or a covering letter setting out the proposed Variation, as appropriate.

An extension to the existing external drinking area to include areas surrounding the bowling green.  
Right hand side or green from pavilion we have fence and hedge 7ft.  
Rear is fenced and car park beyond  
Left hand side is thick hedged and carpark behind.

Note:



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1. Where a proposed (non Minor) Variation affects the current Layout Plan, please submit seven sets of plans showing the proposed new layout of the Premises. Where the application is for a proposed Minor Variation (only) affecting the current Layout Plan, four sets of plans showing the proposed new layout of the Premises are required.
2. If the proposed Variation involves structural alterations, you should submit the relevant Section 50 certificates (Planning; Building Control; and, if relevant, Food Hygiene).

**PART C - TRANSFER****C.1. Applicant**

Are you the current Licence Holder?

Yes	No
-----	----

If 'Yes', go to C.4.

**Note:**

1. In addition to requesting a Transfer, you may also require Variation to a new Premises Manager.
2. There are two separate procedures for transfer of a Premises Licence, Section 33 and Section 34. Section 33 covers Application for Transfer by the Licence Holder. Section 34 covers Application for Transfer by others, for example, by the Executor after the death of the Licence Holder. The procedures are similar but a Section 34 Application must be lodged within 28 days of the death or other event.

**C.2. Applicant not current Licence Holder**

Please tick which (a) to (f) applies to you:

- |   |   |                          |
|---|---|--------------------------|
| a | The Licence Holder is deceased, and I am his Personal Representative.   | <input type="checkbox"/> |
| b | The Licence Holder is incapable, and I am authorised by his Power of Attorney.  | <input type="checkbox"/> |
| c | The Licence Holder is Incapable, and I am authorised to act on his behalf by virtue of the Adults with Incapacity (Scotland) Act 2000.                          | <input type="checkbox"/> |
| d | The Licence Holder is insolvent, and I am the Insolvency Practitioner.  | <input type="checkbox"/> |
| e | The Licence Holder, being a person other than an individual, a partnership or a company, has been dissolved, and I am the person administering the dissolution. | <input type="checkbox"/> |
| f | I am the Transferee of the Business.  | <input type="checkbox"/> |

Please supply the information and documentation described in (a) to (f) below:

- a
  - 1 Specify the date of death.
  - 2 Produce the Death Certificate.
  - 3 Produce the Will nominating you Executor, or (if there is no Will) specify your entitlement to act as Executor and produce supporting documentation, such as a Marriage Certificate.
- b
  - 1 State date of Incapacity.

- 2 Produce the Power of Attorney.
- c 1 State date of Incapacity.
- 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you and giving you authority to make an Application under Section 34 of the 2005 Act.
- d 1 State date of insolvency.
- 2 Produce evidence of your authority, eg a certified copy of the Court Interlocutor appointing you.
- e 1 State date of dissolution.
- 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you.
- f Produce a letter from the Licence Holder or his Solicitor confirming:
- 1 The transfer of the Business (not solely the Premises) and
- 2 The date of transfer

### C.3. Late Transfer

Are you lodging this Application for Transfer within 28 days of the death or other event ((a) to (f))?

Yes	No
-----	----

If 'No', please attach a letter explaining why this Application was not made within 28 days.

#### Note:

- Where the events (a) - (e) (not (f)) happen, the Premises Licence itself ceases to have effect unless, within 28 days of the occurrence of the event, an application for the Transfer of the licence is made under Section 34;
- The 28 day limit on Application applies to all of (a) to (f), so the time limit applies to business Transferees too.

### C.4. Details of Transferee

Complete one of (a) to (e):

- a) Where Transferee is an individual, provide full name, date and place of birth, and home address including postcode.

Full Name	
Date of birth	
Place of Birth	
Home address including postcode	

Telephone Number	
Email address	

**Note:** a Transfer cannot be made to a Transferee who is an individual under the age of 18.

- b) Where Transferee is a partnership, please provide full name, and postal address of partnership.

Full name of partnership	
Postal Address of partnership	

- c) Where Transferee is a company, please provide name, registered office and company registration number.

Company name	
Registered office	
Company registration number	
Telephone number	
Email address	

- d) Where Transferee is a club or other body, please provide full name, and postal address of club or other body.

Full name of club or other body	
Postal address of club or other body	
Telephone number	
Email address	

- e) Where Transferee is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of Connected Persons.

Full name	
Postal Address	
Date of Birth	

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Place of Birth	
Telephone Number	
Email address	

Full name	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	
Email address	

Full name.	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	
Email address	

Note: The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) for a Partnership, a Partner;
- (b) for a company, a Director, or a person who has control of the Company;
- (c) for a Club, an office-bearer of the Club; and
- (d) for any other organisation, any person concerned in its management or control.

### **Previous Licences and Applications**

**C.5.** Has the Transferee or any other Connected Person ever held a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s), including the name and address of the Premises concerned, the name of the Licence Holder, the type of Licence concerned, the date when the Licence was granted or last renewed, and Licence reference number (if known); if the Premises were not in North Ayrshire, give the name of the Licensing Board.

**C.6.** Has the Transferee or any other Connected Person ever been refused a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s) applied for, including the name and address of the Premises concerned, the name of the Applicant, the type of Licence concerned and Licence reference number (if known), the date of the Board decision and the reason for refusal; if the Premises were not in North Ayrshire, give the name of the Licensing Board.

Has the Transferee or any Connected Person ever been convicted of a 'Relevant Offence' or 'Foreign Offence'? (see Notes)

For each Transferee or Connected Person, answer the question:

Name	Yes	No

If the answer is 'Yes' for any person, then on a separate piece of paper provide details: Name of person convicted, (if applicable) his position e.g. 'Director', and for each conviction: the date of conviction or sentence, the Court, the Offence, and the Penalty.

**Notes:**

1. The terms 'Relevant Offence' and Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences'. This means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, Section 178 (taking motor vehicle without authority)'.

**C.8. Club**

If the Transferee is a Members Club, complete the following question. You should send a copy of the Constitution and Rules with your Application.

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

Yes	No
-----	----

Note: If the Transferor Club conforms but the Transferee Club does not (or vice versa) then the Board may require to review the Conditions applying to the licence. In particular, if the Transferee Club does not conform, by Law it may require a Premises Manager.

D.1. Does the Transfer Application depend on the grant of the Variation?

Yes	No
-----	----

**Note:**

If 'Yes' the Licensing Board must determine the Variation Application before determining the Transfer Application, and if 'No', the Board must determine the Transfer Application before determining the Variation Application. In either case, if the Board refuses the first Application then the second Application automatically falls.

**PART E - DECLARATION BY APPLICANT OR AGENT**

If signing on behalf of the Applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.



\*(see note below)

Date .....18<sup>TH</sup> JANUARY 2024.....

Capacity TREASURER .....

\* Data Protection Act 1998 - the information on this form may be held on a public register, which may be available to members of the public.

**Signatory**

Type or use BLOCK CAPITALS: Please give full name, address, post code, telephone number and email address:

Full name.	HELENA McGOWAN	
Postal Address (including postcode)		
Telephone number		
Email address		

I have enclosed the relevant documents with this Application:

## CASE 2

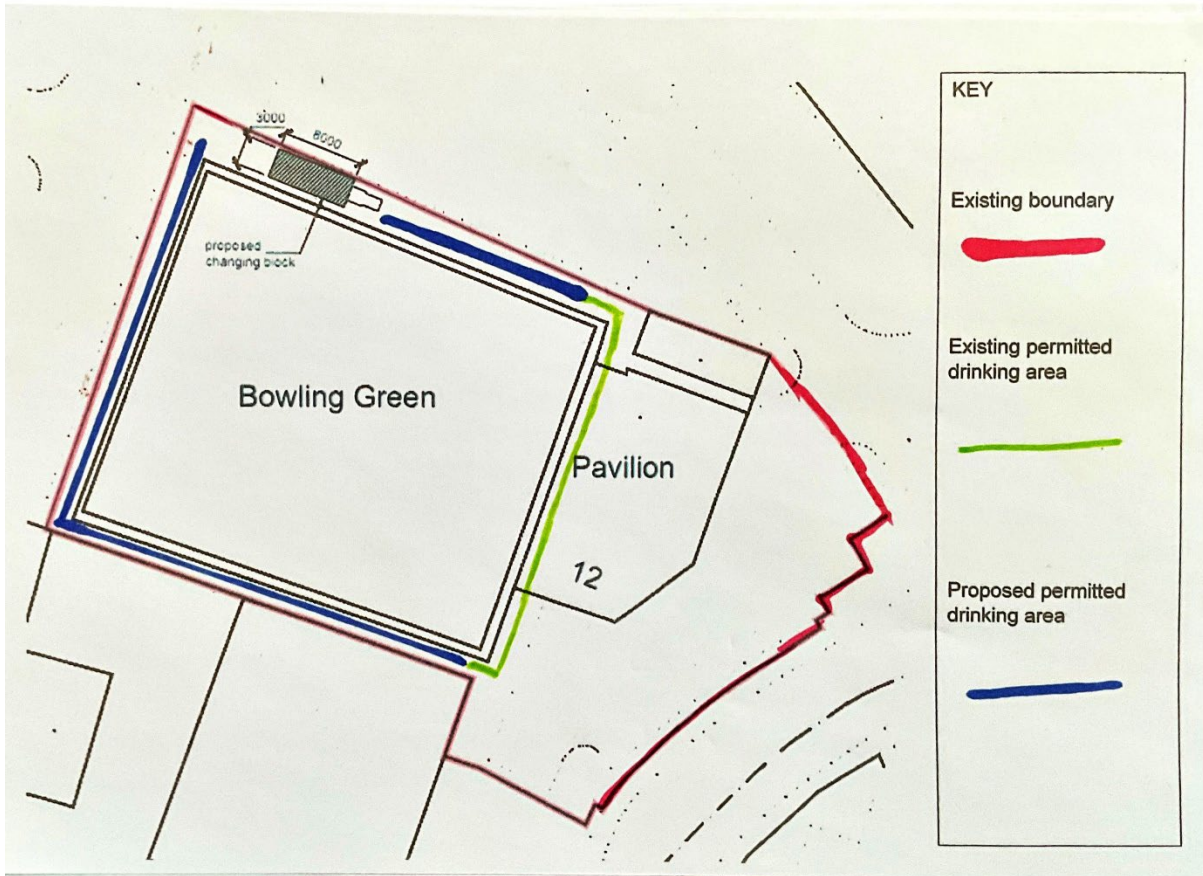
(Please tick the relevant boxes in the column marked 'Applicant' - the column marked 'Board' is for internal use).

Document	Applicant	Board
Premises Licence		
Summary of Premises Licence (To be returned to the Licensing Office on issue of the new Premises Licence)		
New Operating plan		
New Layout plan	7 copies	X
Planning Certificate		
Building Control Certificate		
Food Hygiene Certificate		
Personal Licence of proposed Premises Manager (B8)		
Documentation to show entitlement to apply for a Transfer (C2)		
Where necessary, a separate piece of paper giving details of Previous convictions (C7)		
Copy of Transferee Club Constitution and Rules (C8)		
Letter explaining why 1. The Premises Licence is not produced 2. Transfer Application is late (C3)		
Fee	£280	X

Application checklist (For use by the Licensing Board only)

Date received	18/1/2024
Fee amount	£280
Receipt number	BACS ADWS00275286
Received by (INITIALS)	MC
Consideration date	<b>26 January 2024</b>
Last date for consideration	<b>16 February 2024</b>
Date of initial hearing	<b>18 March 2024</b>
Date granted/refused	





## THE LICENSING (SCOTLAND) ACT 2005

**Application for Variation of Premises Licence**

<b>Premises Licence Reference:</b>	0035
<b>Name and Address of Premises:</b>	The George 17/19 Main Street Largs KA30 8AA
<b>Applicant/Licence Holder:</b>	Colin Grant
<b>Type of Premises:</b>	Public House
<b>Proposed Application:</b>	Outdoor seating area at the front of the premises as per attached layout plan.
<b>Police Authority Comments:</b>	No Police objection
<b>Licensing Standards Comments:</b>	No comment
<b>Fire Authority Comments:</b>	No comment
<b>Protective Services Comments:</b>	No comment
<b>Community Council Comments:</b>	No comment received from Largs Community Council
<b>Health Board Comments:</b>	No comment
<b>Section 50 Certificates:</b>	Not required
<b>Additional Comments:</b>	Roads consent attached. Board will require to consider the variation request as detailed at point B9 of the application, and in addition the Board's Standard Condition C5 applies for applications/variations including outdoor areas.

## NORTH AYRSHIRE LICENSING BOARD

### APPLICATION FOR VARIATION and/or TRANSFER OF PREMISES LICENCE/PROVISIONAL PREMISES LICENCE \*

#### LICENSING (SCOTLAND) ACT 2005, Sections 29 - 35

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each extra page with the address of the Premises, the Board Reference Number, and the type of Application applied for, and you should sign each extra page.

Your Application must be accompanied by the original Premises Licence (not the Summary), or if that is not practicable, a statement of the reasons for failure to produce the Licence.

Explanatory notes are included but these are for guidance only and are no substitute for independent legal advice. They reflect the Board's understanding of the legislation.

**\*Delete as appropriate**

#### PART A - GENERAL

What type of Application is this?  
(tick **one** box, and complete the rest of the form as appropriate)

Variation (Complete Parts A, B, and E)

Transfer (Complete Parts A, C and E)

Variation and Transfer (Complete all parts)

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**Note:** If the Licence is being transferred to a new Licence Holder, which is not an individual person (for example, if the new Licence Holder is a Company or Partnership) then as well as applying for Transfer of the Licence you may need to Vary to include a new Premises Manager.

Board Reference number:	0035
Date of Board decision to grant the Premises Licence:	27 August 2019
Name, address and postcode of Licensed Premises:	The George 17/19 Main Street Largs KA30 8AA
Name of Licence Holder	Colin Grant
Name of Premises Manager	Gillian McLeod

## PART B - VARIATION

## B.1. Type of Variation proposed

What Variation is proposed? (consider the statutory definition of 'Minor Variation' - see Note)

Tick one box:

One or more 'Minor Variations'

One or more other Variations (including where some are 'Minor Variations' but one is not)

✓

Note: 'Minor Variation' is defined by Section 29(6) of the 2005 Act and means -

- a. any Variation of the Layout Plan, if the Variation does not result in any inconsistency with the Operating Plan,
- b. where, under the Operating Plan contained in the Licence, Children or Young Persons are allowed entry to the Premises, any Variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the Premises,
- c. any Variation of the information contained in the licence relating to the Premises Manager (including a Variation so as to substitute a new Premises Manager), and
- d. where the name of the premises is disclosed in the premises licence, any change in that name
- e. a temporary or permanent reduction in the licensed hours which does not result in the premises opening any earlier or closing any later than stated in the premises licence and operating plan
- f. an increase in the minimum age at which children or young persons may be allowed onto the premises
- g. a reduction in the times at which children or young persons may be allowed onto the premises
- h. a restriction to the access of children or young persons to certain parts of the premises
- i. any reduction in the capacity of the premises whether resulting from a variation to the layout plan or otherwise
- j. any variation resulting in the cessation of the provision of live or recorded music at a decibel level exceeding 85 decibels
- k. any variation to provide that, when the premises are fully occupied, more customers are likely to be seated than standing

Any Variation outside (a) – (k) is not a 'Minor Variation'. The difference is:

- a. any Application for a Variation which is not a 'Minor Variation' must be processed in a similar way to an Application for a Premises Licence. This means that your Application will be publicised on the Board's website (or in a newspaper), will be intimated to

- (i) all occupiers of land within 4 metres of the Premises;
- (ii) the Community Council;
- (iii) North Ayrshire Council;
- (iv) the Police; and
- (v) the Fire Authority.

You will also have to display a Site Notice for 21 days. The Application will then call at a meeting of the Licensing Board;

The Fee is based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

- b. a 'Minor Variation' is not processed like this. Instead, the Application is usually granted automatically by the Clerk to the Board, without a Hearing in front of the Board (depending on the actual Variation requested, the Clerk might refer the case to the Board, but this does not happen often). The Fee is fixed and is not based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

Examples of Minor Variations:

1. Changes to the Layout Plan due to rearrangement of shelves and serving areas, without:
  - a. changing the nature of the Premises or
  - b. increasing the capacity of the Premises.
2. Changes to the Operating Plan to alter the details of the Premises Manager, or to add a new Premises Manager.

Examples of Variations which are not Minor Variations:

1. any change to the Operating Plan (except those referred to as Minor Variations);
2. any change to the Conditions affecting the Licence.

### Previous Application for Variation

**Note:** this information is needed because the 2005 Act requires the Board to refuse a Variation Application if it has refused a previous Variation Application for the same Premises and for the same Variation (Section 30(5)(a) & 32). This bars a new Variation Application made before the expiry of the period of one year beginning with the date of the earlier refusal. The bar does not apply if either or both of these situations apply:

- a. at the time of the earlier refusal, the Board directed that the bar would not apply to any subsequent Application, or
- b. the Board is satisfied that there has been a material change of circumstances since the earlier refusal.

- B.2.** Has there been a previous Application for Variation for these Premises in the past year (including any time before the current Licence Holder or proposed Transferee acquired them)?

Yes	<b>No</b>
-----	-----------

If 'No', go to Question B.6.

B.3. If 'Yes', was that previous Application refused?

Yes	No
-----	----

B.4. If it was refused, give details of that previous Application:

Name of the Applicant	
Date of the Board decision	
Summarise the Variation which was then requested.	

B.5. If there has been a Board decision to refuse in the one year before the date of lodging this Application, state which of (a) or (b) above you think applies, and if (b) applies state what you think the material change of circumstances has been:

--

B.6. Does the proposed Variation affect the Premises Manager?

Yes	<b>No</b>
-----	-----------

If 'No', go to Question B.9.

**Variation to add new Premises Manager details**

B.7. Supply details of the proposed Premises Manager and produce the Personal Licence (except where the Premises Licence is a "Provisional Premises Licence" which has not yet been Confirmed).

Name	
Date of birth	
Contact address	
Email address	

Personal licence	
Date of issue	
Name of Licensing Board issuing	

Reference no. of personal licence	
-----------------------------------	--

**B.8.** Do you want the proposed Variation to add new Premises Manager details to have immediate effect?

Yes  No

**Note:** The Variation can have effect immediately from the time the Application is received by the Licensing Board until the time that the Application is either granted or withdrawn. The fee for an 'immediate effect' Variation is higher than for the ordinary Minor Variation.

This 'immediate effect' procedure only applies to Premises Manager information. Any other sort of Variation only takes effect if and when the Board grants the Application.

**B.9. Variation**

Is any other Variation requested, apart from one affecting the Premises Manager?

Yes  No

If 'Yes', describe the Variation requested. If necessary, lodge a new Operating Plan and/or Layout Plan or a covering letter setting out the proposed Variation, as appropriate.

The proposed variation to the operating plan provides for the provision of an outdoor seated area, which is more particularly described below. The outdoor area will be used for serving food and beverages to include alcohol, with the provision of alcohol being subject to the conditions detailed in the Operating Plan.

The addition of an outdoor seated area at the front of the premises will extend for a distance up to 3 metres from the front of the premises on either side of the main entrance to the premises which will be kept entirely free to provide access and egress from the property as shown on the layout plan. The outdoor seating area will be enclosed, during its period of operation, by a removable barrier and the area will be furnished with quality outdoor tables and chairs in keeping with the traditions of the premises. The furniture and barriers will be removed when the extended area is not in use.

The proposed outdoor area is on the North side of Largs Main Street at one of the widest points of the footway. The proposed area of the Main Street immediately to the front of the premises has a naturally open area given the historic position of the building which sits well back from the road. The building dates from the 1800s and the area to the front historically afforded space for the tethering of horses and carriages. The addition of the outdoor area, which will almost exclusively be used during the Spring and Summer months (give the West of Scotland climate) will be in keeping with the other establishments and enhance the provision of outdoor hospitality space within the Main Street.

The applicants are liaising with Amey in connection with the provision of Street Seating permission. There has been delay on part of Amey over the past 6 months in providing this due to their Area Manager, Gordon Coppard, leaving the role and his successor not being put in place. This has now been remedied and the applicant is liaising with Steven Harkness at Amey. A copy of the completed Street Seating Agreement will be provided to the Board.

**Note:**

1. Where a proposed (non Minor) Variation affects the current Layout Plan, please submit seven sets of plans showing the proposed new layout of the Premises. Where the application is for a proposed Minor Variation (only) affecting the current Layout Plan, four sets of plans showing the proposed new layout of the Premises are required.
2. If the proposed Variation involves structural alterations, you should submit the relevant Section 50 certificates (Planning; Building Control; and, if relevant, Food Hygiene).

**PART C - TRANSFER****C.1. Applicant**

Are you the current Licence Holder?

Yes	No
-----	----

If 'Yes', go to C.4.

**Note:**

1. In addition to requesting a Transfer, you may also require Variation to a new Premises Manager.
2. There are two separate procedures for transfer of a Premises Licence, Section 33 and Section 34. Section 33 covers Application for Transfer by the Licence Holder. Section 34 covers Application for Transfer by others, for example, by the Executor after the death of the Licence Holder. The procedures are similar but a Section 34 Application must be lodged within 28 days of the death or other event.

**C.2. Applicant not current Licence Holder**

Please tick which (a) to (f) applies to you:

- a The Licence Holder is deceased, and I am his Personal Representative.



- b The Licence Holder is incapable, and I am authorised by his Power of Attorney.
- c The Licence Holder is Incapable, and I am authorised to act on his behalf by virtue of the Adults with Incapacity (Scotland) Act 2000.
- d The Licence Holder is insolvent, and I am the Insolvency Practitioner.
- e The Licence Holder, being a person other than an individual, a partnership or a company, has been dissolved, and I am the person administering the dissolution.
- f I am the Transferee of the Business.


Please supply the information and documentation described in (a) to (f) below:

- a 1 Specify the date of death.
- 2 Produce the Death Certificate.
- 3 Produce the Will nominating you Executor, or (if there is no Will) specify your entitlement to act as Executor and produce supporting documentation, such as a Marriage Certificate.
- b 1 State date of Incapacity.
- 2 Produce the Power of Attorney.
- c 1 State date of Incapacity.
- 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you and giving you authority to make an Application under Section 34 of the 2005 Act.
- d 1 State date of insolvency.
- 2 Produce evidence of your authority, eg a certified copy of the Court Interlocutor appointing you.
- e 1 State date of dissolution.
- 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you.
- f Produce a letter from the Licence Holder or his Solicitor confirming:
- 1 The transfer of the Business (not solely the Premises) and
- 2 The date of transfer

### C.3. Late Transfer

Are you lodging this Application for Transfer within 28 days of the death or other event ((a) to (f))?

Yes	No
-----	----

If 'No', please attach a letter explaining why this Application was not made within 28 days.

**Note:**

1. Where the events (a) - (e) (not (f)) happen, the Premises Licence itself ceases to have effect unless, within 28 days of the occurrence of the event, an application for the Transfer of the licence is made under Section 34;
2. The 28 day limit on Application applies to all of (a) to (f), so the time limit applies to business Transferees too.

#### C.4. Details of Transferee

Complete one of (a) to (e):

- a) Where Transferee is an individual, provide full name, date and place of birth, and home address including postcode.

Full Name	
Date of birth	
Place of Birth	
Home address including postcode	
Telephone Number	

**Note:** a Transfer cannot be made to a Transferee who is an individual under the age of 18.

- b) Where Transferee is a partnership, please provide full name, and postal address of partnership.

Full name of partnership	
Postal Address of partnership	

- c) Where Transferee is a company, please provide name, registered office and company registration number.

Company name	
Registered office	
Company registration number	
Telephone number	

- d) Where Transferee is a club or other body, please provide full name, and postal address of club or other body.

Full name of club or other body	
Postal address of club or other body	
Telephone number	

- e) Where Transferee is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of Connected Persons.

Full name	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	

Full name	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	

Full name.	
Postal Address	
Date of Birth	
Place of Birth	

Telephone Number	
------------------	--

Note: The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) for a Partnership, a Partner;
- (b) for a company, a Director, or a person who has control of the Company;
- (c) for a Club, an office-bearer of the Club; and
- (d) for any other organisation, any person concerned in its management or control.

#### Previous Licences and Applications

**C.5.** Has the Transferee or any other Connected Person ever held a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s), including the name and address of the Premises concerned, the name of the Licence Holder, the type of Licence concerned, the date when the Licence was granted or last renewed, and Licence reference number (if known); if the Premises were not in North Ayrshire, give the name of the Licensing Board.

--

**C.6.** Has the Transferee or any other Connected Person ever been refused a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s) applied for, including the name and address of the Premises concerned, the name of the Applicant, the type of Licence concerned and Licence reference number (if known), the date of the Board decision and the reason for refusal; if the Premises were not in North Ayrshire, give the name of the Licensing Board.

--

**C.7. Previous convictions**

Has the Transferee or any Connected Person ever been convicted of a 'Relevant Offence' or 'Foreign Offence'? (see Notes)

For each Transferee or Connected Person, answer the question:

Name	Yes	No

If the answer is 'Yes' for any person, then on a separate piece of paper provide details: Name of person convicted, (if applicable) his position e.g. 'Director', and for each conviction: the date of conviction or sentence, the Court, the Offence, and the Penalty.

**Notes:**

1. The terms 'Relevant Offence' and 'Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences'. This means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, Section 178 (taking motor vehicle without authority)'.

**C.8. Club**

If the Transferee is a Members Club, complete the following question. You should send a copy of the Constitution and Rules with your Application.

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

Yes	No
-----	----

Note: If the Transferor Club conforms but the Transferee Club does not (or vice versa) then the Board may require to review the Conditions applying to the licence. In particular, if the Transferee Club does not conform, by Law it may require a Premises Manager.

**PART D - VARIATION AND TRANSFER TOGETHER**

D.1. Does the Transfer Application depend on the grant of the Variation?


Yes	No
-----	----

**Note:**

If 'Yes' the Licensing Board must determine the Variation Application before determining the Transfer Application, and if 'No', the Board must determine the Transfer Application before determining the Variation Application. In either case, if the Board refuses the first Application then the second Application automatically falls.

**PART E - DECLARATION BY APPLICANT OR AGENT**

If signing on behalf of the Applicant please state in what capacity.


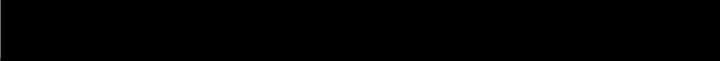
I,  do hereby declare that the information provided is true to the best of my knowledge and belief.  
 Signature (see note below)

Date ..... 18 JAN. 2024 .....  
 Capacity ..... AGENT FOR APPLICANT .....

\* Data Protection Act 1998 - the information on this form may be held on a public register, which may be available to members of the public.

**Signatory**

Type or use BLOCK CAPITALS: Please give full name, address, post code, telephone number and email address:

Full name.	ROBERT HONEYMAN
Postal Address (including postcode)	THE MCKINSTRY COMPANY 39 SANDGATE NYR KA7 1BE
Telephone number	
Email address	

I have enclosed the relevant documents with this Application:

(Please tick the relevant boxes in the column marked 'Applicant' - the column marked 'Board' is for internal use).

Document	Applicant	Board
Premises Licence	✓	
Summary of Premises Licence (To be returned to the Licensing Office on issue of the new Premises Licence)		
New Operating plan		
New Layout plan	✓	
Planning Certificate		
Building Control Certificate		
Food Hygiene Certificate		
Personal Licence of proposed Premises Manager (B8)		
Documentation to show entitlement to apply for a Transfer (C2)		
Where necessary, a separate piece of paper giving details of Previous convictions (C7)		
Copy of Transferee Club Constitution and Rules (C8)		
Letter explaining why 1. The Premises Licence is not produced 2. Transfer Application is late (C3)		
Fee	✓	

Application checklist (For use by the Licensing Board only)

Date received	18/1/24
Fee amount	£500
Receipt number	Tel. ADWS00274556
Received by (INITIALS)	MC
Consideration date	<b>26 January 2024</b>
Last date for consideration	<b>16 February 2024</b>
Date of initial hearing	<b>18 March 2024</b>
Date granted/refused	



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# CASE 3

ALL DIMENSIONS IN METRES  
 FIGURED DIMENSIONS ONLY TO BE USED FROM  
 THIS DRAWING ONLY UNLESS STATED OTHERWISE  
 READ IN CONJUNCTION WITH ENGINEERS  
 DRAWINGS AND SPECIFICATION  
 ALL SIZES TO BE CHECKED ON SITE  
 BY CONTRACTOR PRIOR TO ORDERING MATERIALS  
 THIS DRAWING IS COPYRIGHT

## LICENSING

REVISION	DESCRIPTION	DATE



EXTERNAL SEATING AREA WITH REMOVABLE BARRIER  
 AT PERIMETER ( REMOVED AT CLOSING EACH NIGHT )  
 ENTRANCE AREA ( 1.3M WIDE ) RETAINED AT ALL TIMES

EX: FIRE EXIT POSITION  
 0/T: OR THEREBY

READ WITH INTERNAL LICENSING PLAN no. ARA.001

**STEWART ASSOCIATES**

Architects & Development Consultants

23 BATH STREET  
 LARGS  
 AYRSHIREKA30 8BL



TITLE "THE GEORGE"  
 17 MAIN ST. LARGS

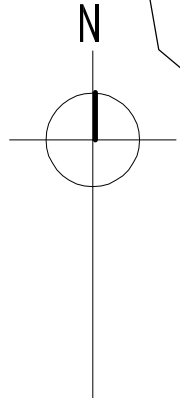
CLIENT Mr C. GRANT

DRAWING EXTERNAL SEATING AREA PLAN

SCALE 1:200@A4 DATE 08-23

DRAWN BAS CHECKED SA

NUMBER 2320-D01



THE GEORGE

MANSE CT

MAIN STREET

13  
15

17

21

3

3m

10m o/t

2.925m o/t

EX

EX

EX

FROM: Robert Honeyman [REDACTED]  
To: Michelle Champion (Administration Assistant / Legal Services )  
DATE: Fri 23/02/2024 10:20

Dear Michelle

I attach thread of email exchange with Amey in relation to the proposed variation to the licence for The George, 17/19 Main Street, Largs.

I would be grateful if you would place this with the application papers as this will assist the Board when the application is being considered next month.

Regards,

**Robert Honeyman**  
Managing Partner

Telephone REDACTED  
Fax REDACTED  
The McKinstry Company Queen's Court House | 39 Sandgate | AYR | KA7 1BE  
REDACTED

Visit our website [mckinstry.co.uk](https://mckinstry.co.uk)

**From:** Steven Harkness [REDACTED]  
**Sent:** Friday, February 23, 2024 10:16 AM  
**To:** Ashleigh Duffy [REDACTED]  
**Subject:** RE: [REDACTED] The George, 17/19 Main Street, Largs KA30 8AA

Good morning,

Thank you for the signed agreement.

I can confirm both that an annual fee is no longer required, and all is in order and permission is granted for the outdoor seating as detailed in your plan referenced 2320-D01 dated 08-23.

Kind regards,

**Steven Harkness MIHE**

Network Area Manager | NMC South West | Transport Infrastructure

The logo for Amey, featuring the word "Amey" in a bold, blue, sans-serif font.

**M:** REDACTED  
**E:** REDACTED  
**Amey, Wayside Depot, Annan Rd, Dumfries, DG1 3JX**

**From:** Ashleigh Duffy [REDACTED]  
**Sent:** Friday, February 23, 2024 10:08 AM  
**To:** Steven Harkness [REDACTED]  
**Subject:** [REDACTED] The George, 17/19 Main Street, Largs KA30 8AA

You don't often get email from [REDACTED] [Learn why this is important](#)

**WARNING:** This email originated from outside of Amey Limited. Exercise caution when opening attachments or clicking links, especially from unknown senders. If you suspect this message is not legitimate, report it to the **Phishing mailbox**.

**SENT ON BEHALF OF ROBERT HONEYMAN**

**Please respond directly [REDACTED]**

Dear Mr Harkness

I have now had my client return the signed Annual Agreement in respect of the acceptance of the conditions.

If you are able to confirm the annual fee I can then arrange for that to be remitted across to you forthwith and perhaps you could then confirm that this is now all in order and there is an agreement in place in respect of the street seating.

It would be helpful to hear from you by the end of the month given the forthcoming Licensing Board Hearing on my client's application.

Yours sincerely

**Robert Honeyman**  
Managing Partner

Telephone REDACTED  
Fax REDACTED  
The McKinstry Company Queen's Court House | 39 Sandgate | AYR | KA7 1BE  
REDACTED

Visit our website [mckinstry.co.uk](http://mckinstry.co.uk)

**THE LICENSING (SCOTLAND) ACT 2005****Application for Occasional Licence**

<b>Licence Reference:</b>	116/24
<b>Name and Address of Premises:</b>	The Windy Ha 31 Bradshaw Street Saltcoats KA21 5HR
<b>Applicant/Licence Holder:</b>	Sean Conaghan
<b>Type of Premises:</b>	Currently trading and operating as a non-licensed Restaurant and take-away.
<b>Proposed Application:</b>	18 <sup>th</sup> March - 31 <sup>st</sup> March, and subsequent applications have been made until the Licensing Board on the 17 <sup>th</sup> June 2024. Licensed hours sought: Sunday to Thursday 10:00 am until Midnight. Friday and Saturday 10:00 am until 1:00 am.
<b>Police Authority Comments:</b>	No Police objection
<b>Licensing Standards Comments:</b>	See report attached.
<b>Fire Authority Comments:</b>	N/A
<b>Protective Services Comments</b>	N/A
<b>Community Council Comments:</b>	N/A Application was advertised online from 14 <sup>th</sup> to 21 <sup>st</sup> February 2024 with the opportunity for public comment. No public comments were received.
<b>Health Board Comments:</b>	N/A
<b>Additional Comments:</b>	Hours sought are out with the Board's Policy hours. The normal operating hours permitted in terms of the commencement for the sale of alcohol in it's Policy are 11.00am Monday to Sunday. The Board will require to consider the terms of its Policy when considering the applications before them. Standard Conditions would also apply to the issue of any Occasional Licence – Part A and H of the Board's Standard Conditions.

**Section 50 Certificates:** N/A

### Applicant Details

Please note fields marked \* are required

“

The legislation provides that **only**:

- The holder of a Premises Licence (including Clubs which hold a Premises Licence)
- The holder of a Personal Licence
- A representative of any Voluntary Organisation

may apply for an Occasional Licence.

There are limits on Occasional Licences that can be applied for by Voluntary Organisations and Clubs:

In any period of 12 months there can be

- No more than 4 with a duration of 4 days or more, and
- No more than 12 with a duration of less than 4 days,

and the 12 month total cannot exceed 56 days. **Clubs which have given up their Section 125 Status are not subject to these limits.**

A Voluntary Organisation can only have an Occasional Licence for an event taking place in connection with its activities.

#### Who is applying? \*

- Premises Licence Holder
- Personal Licence Holder
- Voluntary Organisation

#### Personal licence number \*

#### Full name \*

#### Date of birth \*

## Property search

Postcode

House number \*

Street \*

Town \*

Postcode \*

Contact number \*

Email address \*

Must be provided as all granted licences will be issued by email

# Occasional Licence

## The Premises

Please note fields marked \* are required

An Occasional Licence is only available where the Premises are not **already** licensed for the sale of alcohol (except that a Club may apply for a Licence for its own Premises).

### Property search

Postcode

Name of premises

Where the function is to take place

The Windy Ha

Address of premises

31, BRADSHAW STREET, BRADSHAW STREET, SALTCOATS

Town

SALTCOATS

Postcode

KA21 5HR

Description of premises

i.e. community hall

currently a restaurant and takeaway

Description of activities/event to be carried on in the premises

Please provide full and detailed description. Failure to do so will result in a delay in your application being processed.



Live Music + Karaoke on both nights.

## Occasional Licence

### Temporary Structures

Please note fields marked \* are required

Are any temporary structures being used? \*

such as a stage, tent, marquee etc

Yes

No

# Occasional Licence

## Alcohol Sale

Please note fields marked \* are required

Is the sale of alcohol for consumption on or off the premises? \*

- On the premises
- Off the premises
- Both on and off

### Times of sale of alcohol for consumption ON the Premises

The Licensing Board's Policy on hours is

Alcohol sale should not start before 11.00am and should not continue after:

- 12 midnight on Sunday, Monday, Tuesday, Wednesday
- 1am on Thursday, Friday, Saturday

Start date \*

Start time \*

End date \*

End time \*

Requested times from the applicant confirmed by email and phone on 13/02/2024

Sunday to Thursday 10.00 am to Midnight

Friday and Saturday 10.00 am to 1.00 am

Change of date request on 26/02/2024 by email.

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

Karaoke, live music, food

## Occasional Licence

### Children (under 16) and Young People (16 or 17)

Please note fields marked \* are required

Where alcohol is to be sold for consumption on the Premises, the Act requires that a statement be made as to whether children (under 16) and young persons (aged 16 or 17) are to be allowed entry, and if they are, a statement of the terms on which they are allowed entry.

Any persons under 18 permitted entry \*

Yes

No

Ages of all children and young persons permitted entry

0-17

Times at which children and young persons permitted entry

10am - 8pm

Parts of premises to which children and young persons permitted entry

only at tables for food when accompanied by an adult over 18.

**Report to North Ayrshire Licensing Board****18 March 2024****From****Grace Cullen, Licensing Standards Officer**

- Subject:** Occasional Licence Application No: 116/24 for The Windy Ha, 31 Bradshaw Street, Saltcoats KA21 5HR. Applicant: Sean Conaghan.
- Purpose:** To set out the Licensing Standards Officer's comments on the application.
- Recommendation:** That the Board have regard to the information provided in reaching its decision on the Occasional Licence application.

**Current Position**

This application is before the Board as the hours requested are out with the Board's Policy. The applicant is seeking 10.00am commencement hour, the normal earliest opening time permitted is from 11.00am.

The Windy Ha is currently operating as an unlicensed restaurant and wish to apply for Occasional Licences to serve alcohol until a full application is heard by the Licensing Board at their meeting on 17 June 2024.

Under Part 8.6 of the Licensing Board's Policy Statement 'No O.Ls for commercial use' states there is one exception:

"where Premises which were licensed have within the past 12 months ceased to be so, and have not been used for any other purpose since, the Board will consider granting one or more O.L.s, totalling not more than three months, provided:

- (a) the operator of the Premises has applied, or confirmed that he will be applying, for a full Premises Licence (not a Provisional Premises Licence) and the Application has not been determined, and
- (b) the Board is satisfied that that new Application is likely to call at a scheduled meeting of the Board within that period."

The Windy Ha meets the above criteria.